

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

STEVEN PAUL STOVER,

Plaintiff,

v.

CIVIL ACTION NO. 5:17-cv-01322

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

By *Standing Order* (Document 4) entered on February 22, 2017, this action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On January 12, 2018, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 14) wherein it is recommended that the Plaintiff's request for judgment on the pleadings (Document 11) be denied, the Defendant's request to affirm the decision of the Commissioner (Document 12) be granted, the decision of the Commissioner be affirmed, and this action be dismissed from the Court's docket.


Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by January 29, 2018, and none were filed by either party. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as

to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that districts courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*, and **ORDERS** that the Plaintiff's request for judgment on the pleadings (Document 11) be **DENIED**, the Defendant's request to affirm the decision of the Commissioner (Document 12) be **GRANTED**, the decision of the Commissioner be **AFFIRMED**, and this action be **DISMISSED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Eifert, counsel of record, and any unrepresented party.

ENTER: February 6, 2018


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA